

**BOARD FOR GEOLOGISTS AND GEOPHYSICISTS**

2535 CAPITOL OAKS DRIVE, SUITE 300A, SACRAMENTO, CA 95833-2926

TELEPHONE: (916) 263-2113

FAX: (916) 263-2099

E-mail: geology@dca.ca.govWebsite: www.geology.ca.gov

Enforcement Action

Charles Schroeter**Professional Geologist No. 3601****Certified Engineering Geologist No. 2126**

On August 30, 2006 the Board for Geologists and Geophysicists (Board) issued a Citation and Fine of \$2,500 to Charles Schroeter, Professional Geologist No. 3601, Certified Engineering Geologist No. 2126, for violation of sections Business and Professions Code section 7872(h) and section 7860 and for violation of section 3065 subdivisions (a)(2) and (b)(8) of Title 16 of the California Code of Regulations (CCR).

Charles Schroeter signed and sealed a report entitled "Engineering Geology Investigation", dated September 14, 2004 as "Charles Schroeter Project Geologist CEG 2126, Expires 12/31/04" which is contained as Appendix B of a report entitled "Preliminary Soils and Engineering Geologic Investigation Proposed Two Story Residential Building and Retaining Walls at 3818 Green Vista Drive", dated October 8, 2004 signed and stamped by Jeff Yang, a licensed geotechnical engineer.

Mr. Schroeter stated that the scope of his study included a review of available geologic information and evaluation of collected geologic information with respect to the proposed development at the site. The scope of work identified by Mr. Schroeter is part of the standard geologic reporting procedure for licensed Professional Geologists providing geologic services for the purpose of identify landslide hazards in California.

The above-referenced report by Mr. Schroeter failed to meet the standard of care of a Professional Geologist practicing in California under similar circumstances and conditions by failing to accurately represent field data in his 'test pits' and failing to adequately search existing pertinent reports and documents thereby failing to recognize and identify past and possible future landsliding at the subject site.

Title 16 CCR section 3065, subdivisions (a)(2) and (b)(8) makes it grounds for disciplinary action for any licensee to fail to act with competence and reasonable care while expressing opinions that have a basis in fact or experience in applying the technical knowledge and skill which is ordinarily applied by licensees of good standing and under similar circumstances and conditions.

Mr. Schroeter committed acts of professional negligence, incompetence and/or misrepresentation constituting grounds for disciplinary action under Business and Professions Code section 7872(h) and section 7860 and for violation of section 3065 subdivisions (a)(2) and (b)(8) of Title 16, CCR.

In accordance with section 125.9(d) of the Business and Professions Code, payment of the fine does not constitute admission of the violation charged and represents satisfactory resolution of the matter. Mr. Schroeter agreed to pay the fine and the case was closed on September 20, 2006.

The Mission of the Board for Geologists and Geophysicists is to Continuously Enhance the Quality, Significance, and Availability of Geological and Geophysical Services Offered to the People of California